

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

DERRICK D. FIELDS,

Plaintiff,

vs.

SHERIFF JEFF NEAL,

Defendant.

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CASE NO. 5:24-CV-70

ORDER

Plaintiff Derrick Fields, proceeding *pro se*, filed the above-styled civil rights lawsuit complaining of alleged deprivations of his constitutional rights. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636. The sole named Defendant is Bowie County Sheriff Jeff Neal.

Plaintiff complained that Sheriff Neal is responsible for the conditions of confinement in the Bowie County Jail. After review of the pleadings, the Magistrate Judge issued a report recommending that the lawsuit be dismissed without prejudice for failure to state a claim upon which relief may be granted. Docket No. 9. Plaintiff received a copy of this report on July 12, 2024, but has filed no objections. Docket No. 10. Accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the report of the Magistrate Judge. Upon such review, the Court has determined that the report of the Magistrate Judge is correct. *See*

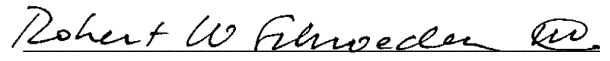
United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge’s report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”). It is accordingly

ORDERED that the report of the Magistrate Judge (Docket No. 9) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted. It is further

ORDERED that any pending motions in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 4th day of September, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE